

Application No.: 09/753,764
Amendment dated: July 13, 2005
Reply to Office Action Dated: May 13, 2005

AMENDMENTS TO THE DRAWINGS

The attached sheets of drawings include changes to Figures 2 and 3.

Four (4) pages of Replacement drawings are attached and replace any previous drawings submitted.

Attachment: Annotated Sheet Showing Changes
Replacement Sheets

Application No.: 09/753,764
Amendment dated: July 13, 2005
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REMARKS/ARGUMENTS

Claims 1-22 are pending in the application. Claims 1, 10, and 19 were amended for purposes of clarity.

The title was rejected as being not descriptive. Claims 1-4, 9-13, and 18-21 were rejected under 35 U.S.C. §102(a) as being anticipated by what the Office Action indicates as “applicant’s admitted prior art” (hereinafter “AAPA”). Claims 5-8, 14-17 and 22 were rejected under 35 U.S.C. §103(a) as being unpatentable over AAPA.

Figures 2 and 3 have been amended to correct the deficiencies referenced by the Office Action.

Objection to the Title

The title of this application was objected to. During a telephone conversation on June 30, 2005, Examiner Huisman agreed that the title as currently stated was satisfactory. Some confusion had arisen due to the original title being used in the cover page of the previous amendment as opposed to the amended title.

Claim Rejections Under 35 U.S.C. §102(a)

Claims 1-4, 9-13, and 18-21 were rejected under 35 U.S.C. §102(a) as being anticipated by AAPA. As stated repeatedly in the previous office actions, AAPA does not teach or suggest a first storage element dedicated to the first multiplexer and a second storage element dedicated to

Application No.: 09/753,764
Amendment dated: July 13, 2005
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the second multiplexer, as recited in claims 1, 10, and 19. The storage elements of the AAPA feed into both the first multiplexer and the second multiplexer, receiving data from both the first multiplexer and the second multiplexer.

The Office Action states:

Even when taking applicant's definition of "dedicated" into consideration, AAPA still anticipates the claimed subject matter. AAPA is involved with multiple threads, wherein threads are switched from active to inactive and vice-versa. As discussed in the rejection of the independent claims, storage element 248 is dedicated to the first multiplexer when the first multiplexer is associated with the inactive thread, and storage element 250 is dedicated to the second multiplexer when the second multiplexer is associated with the inactive thread. The *examiner agrees with that the storage elements may receive data from both multiplexers*, but this is only true when tracking system operation as a whole (from start to end times). When looking at certain windows of time, however, it should be realized that these storage elements are dedicated to their respective multiplexers.

(Office Action, page 14)(Emphasis added).

As stated above the Office Action agrees that the storage elements may receive data from both multiplexers. As previously stated, this indicates the storage elements are shared, which, in addition to not being a dedicated storage element, is the exact opposite of a dedicated storage element. In order to argue that the storage elements of the AAPA even superficially resemble a dedicated storage element, the Office Action parses the operation of the system into sub-fractions of a second. Even so, the fact that the storage element receives data from a first multiplexer at a single point in time does not make it dedicated to that multiplexer, as the storage element is still available to the other multiplexer even if it is not being used by that multiplexer for that sub-fraction of a second. Over any relevant period of time, the storage elements in question will be

Application No.: 09/753,764
Amendment dated: July 13, 2005
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receiving data from either multiplexer. Thus the storage element is not dedicated under any meaning of the word acceptable to someone knowledgeable in the art.

The Office Action further states:

The examiner believes that this is a sufficient interpretation of “dedicated” and that the interpretation is not inconsistent with the way “dedicated” is used in the art, as it is not 100% clear to the examiner how “dedicated” is used in the art. Unlike the words “CPU” and “RAM” (which are well known words that have well known meanings in the art), the word “dedicated” is not so cut-and-dry. Even if an example exists which shows “dedicated” to mean complete dedication at all times, can applicant conclude that “dedicated” is always used in this manner, based on one example? For instance, in a thread switching system, in which one thread executes at a time, is the system hardware not dedicated to executing the active thread? When another thread becomes active, is the hardware not dedicated to executing the new active thread? Or, can a person not be dedicated to studying hard for a math class and dedicated to studying hard for a history class at the same time? Applicant’s claim says nothing about the storage elements being dedicated to only one multiplexer at all times throughout the course of system operation (i.e., applicant never rules out that a storage element cannot receive pointers from a non-associated multiplexer). As the examiner has shown, if you take an individual time window and analyze the operation of the system within that time window, storage element dedication is clear. Looking at the system as a whole (from T0-T ∞), complete dedication is not taught by AAPA, but this does not change the fact that AAPA does teach complete dedication during individually time windows. And, it is the operation within these time windows which read on applicant’s claims.

(Office Action, page 16)(Emphasis added).

The applicants provided multiple references showing the meaning of the word “dedicated” is well known within the art. Additionally, use of the word in the present claims to distinguish over the figure in the background section is entirely consistent with the word’s standard meaning. The Office Action’s examples shown above do not provide a meaning of the word “dedicated” that would in any way apply to the AAPA. At no time are storage elements

Application No.: 09/753,764
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248 and 250 ever dedicated to a single multiplexer. Even under the scenario described in the Office Action, the storage elements are still capable of receiving data from either multiplexer.

For all of these reasons, AAPA does not teach or suggest a first storage element dedicated to the first multiplexer and a second storage element dedicated to the second multiplexer, as claimed in claims 1, 10, and 19. Claims 2-4, 9, 11-13, 18, and 20-21 depend from claims 1, 10, and claim 19, respectively. Accordingly reconsideration and withdrawal of the rejection of claims 1-4, 9-13, and 18-21 under 35 U.S.C. §102(a) is respectfully requested.

Claim Rejections Under 35 U.S.C. §103(a)

Claims 5-8, 14-17 and 22 were rejected under 35 U.S.C. §103(a) as being unpatentable over AAPA. As stated above, elements of claims 1, 10, and 19 are neither shown nor suggested by AAPA. Claims 5-8, 14-17 and 22 depend from claims 1, 10, and 19, respectively. Accordingly reconsideration and withdrawal of the rejection of claims 5-8, 14-17 and 22 under 35 U.S.C. §103(a) is respectfully requested.

Accordingly reconsideration and withdrawal of the rejection of claims 9 under 35 U.S.C. §103(a) is respectfully requested.

For all the above reasons, the Applicant respectfully submits that this application is in condition for allowance. A Notice of Allowance is earnestly solicited.

The Commissioner is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. §1.16 or §1.17 to Deposit Account No. **11-0600**.

Application No.: 09/753,764
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The Examiner is invited to contact the undersigned at (408) 975-7500 to discuss any matter concerning this application.

Respectfully submitted,

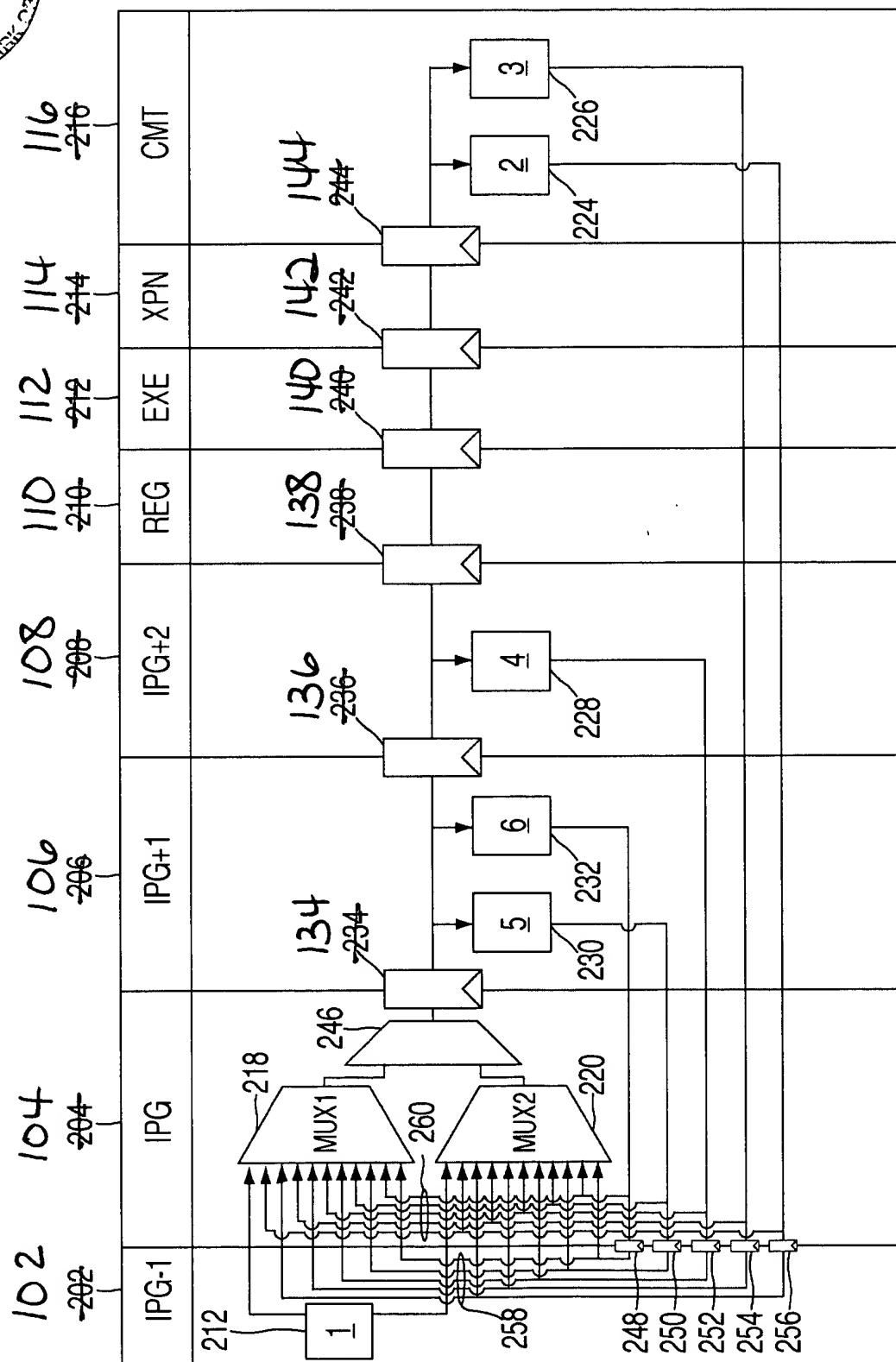
KENYON & KENYON

Dated: July 13, 2005

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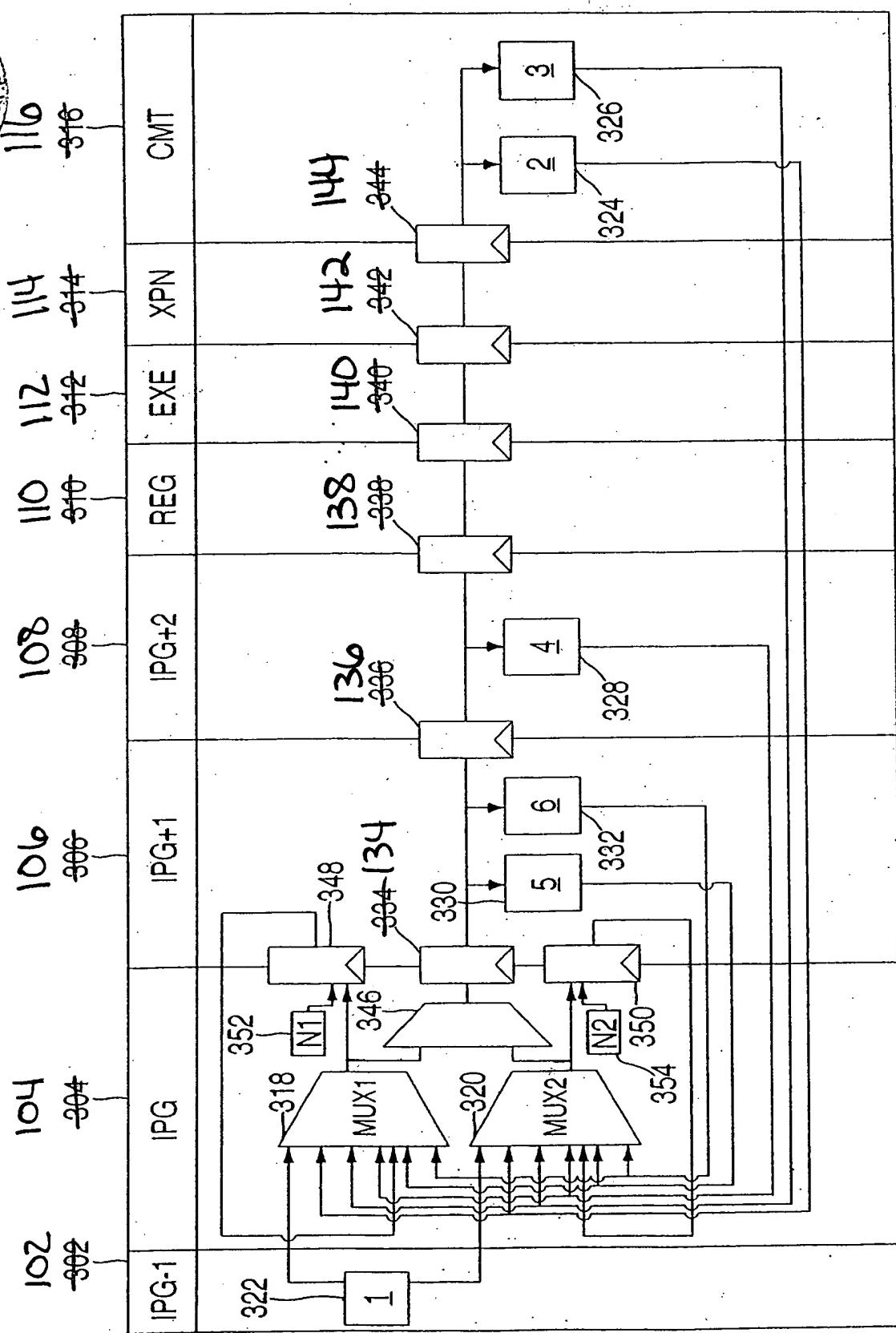
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MULTIPLEXER PRIORITY: 1 - DEBUG/DFT IP 2 - EXCEPTION/FAULT RE-STEER 3 - BRANCH MISPREDICT RE-STEER
 4 - '1' BUBBLE BRANCH RE-STEER 5 - '0' BUBBLE BRANCH RE-STEER 6 - SEQUENTIAL IP (IP+1)

FIG. 2 (PRIOR ART)



MULTIPLEXER PRIORITY: 1 - DEBUG/DFT IP 2 - EXCEPTION/FAULT RE-STEER 3 - BRANCH MISSPREDICT RE-STEER
 4 - '1' BUBBLE BRANCH RE-STEER 5 - '0' BUBBLE BRANCH RE-STEER 6 - SEQUENTIAL IP (IP+)

FIG. 3